



# Application for Change/Transfer of Water Right

For Ecology Use  
(Date Stamp)



For filing with the Department of Ecology or with County Conservancy Boards

A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION  
IF FILED WITH THE DEPARTMENT OF ECOLOGY

(Check all that apply.)

- ☐ Change purpose(s) of use
- ☐ Add purpose(s) of use
- ☒ Change point(s) of diversion/withdrawal
- ☐ Add point(s) of diversion/withdrawal
- ☐ Change/transfer place of use
- ☐ Other (i.e. consolidation, intertie, trust water)

Explain: \_\_\_\_\_

**\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL  
SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\***

## FOR OFFICIAL USE ONLY

DATE APPLICATION RECEIVED 11-07-2013  
CHECK NO. \_\_\_\_\_ FEE \$ 100<sup>00</sup>  
DATE ACCEPTED 12-26-2013 BY CS  
CHANGE NO. CS4-004385615  
COUNTY YAKIMA WRIA 39  
SPECIAL AREA  
CFO = 54-83097-J 0630-1870  
SEPA: ☐ EXEMPT ☐ NOT EXEMPT  
ECY CODING: 001-002-WR10285-000011  
APP NO. \_\_\_\_\_ PERMIT NO. \_\_\_\_\_  
CERT NO. \_\_\_\_\_ CERT OF CHG NO. \_\_\_\_\_

- ☐ I have participated in a pre-application conference with Ecology.

## 1. Applicant Information

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Mrs. Hazel Cameron	509.961.2749	
ADDRESS		
13030 North Wenas Road		
CITY	STATE	ZIP CODE
Selah	WA	98942
EMAIL ADDRESS (IF AVAILABLE)		

CONTACT (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Lawrence E. Martin, Esq. and Paul C. Dempsey, Esq. c/o Halverson NW Law Group	509.248.6030	509.453.6880
ADDRESS		
P.O. Box 22550		
CITY	STATE	ZIP CODE
Yakima	WA	98907
EMAIL ADDRESS (IF AVAILABLE)		
<a href="mailto:lmartin@halversonnw.com">lmartin@halversonnw.com</a> ; <a href="mailto:pdempsey@halversonnw.com">pdempsey@halversonnw.com</a>		

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE	PHONE NO.	FAX NO.
Mrs. Hazel Cameron		
ADDRESS		
13030 North Wenas Road		
CITY	STATE	ZIP CODE
Selah	WA	98942

## 2. Water Right Information

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
00438 (A)01378 (Proposed Cert. S4-83097-J)	Mrs. Hazel Cameron
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (See 2011 and 2008 aerial photography, annotated to show place of use under the subject water right, Exhibit "A," attached.)	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

54-83097-J

CS4-004385615



### 3. Point(s) of Diversion/Withdrawal:

#### A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Wenas Creek	1	SE	SW	12	15N	17E	171512-31004 (Ashbaugh)	N/A
Wenas Creek	2	NE	NW	13	15N	17E	171513-13001 (Cameron)	
Wenas Creek	3	SW	NW	12	15N	17E	171512-31004 (Ashbaugh)	

#### B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Wenas Creek	1	NE	NW	13	15N	17E	171513-12004 (Cameron)	N/A
Wenas Creek	2	NE	NW	13	15N	17E	171513-13001 (Cameron)	
Wenas Creek	3	SW	NW	12	15N	17E	171512-31004 (Ashbaugh)	

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NO PROPOSED: ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME: Existing POD No. 1 (which is proposed for change under this Application) and existing POD No. 3 (which will be maintained by Applicant) are both located on Parcel No. 171512-31004, which is owned by the John C. and Linda L. Ashbaugh Living Trust. Proposed POD No. 1 is owned by Applicant, as is existing/proposed POD No. 2.

*Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.*

### 4. Purpose of Use:

#### A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 100 acres	2.0 cfs	435.6 AF/y	March 1 through October 15
Stock water		3 AF/y	

#### B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 100 acres	2.0 cfs	435.6 AF/y	March 1 through October 15
Stock water		3 AF/y	

### 5. Place of Use:

#### A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

That portion of the E ½ NW ¼ lying east of Wenas Creek, the SW ¼ NE ¼, and the NW ¼ SE ¼ Section 13, T. 15 N., R. 17 E.W.M.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
E ½	NW	13	15N	17E	Yakima	Ptns. of 171513-12004 and 171513-13001	35 (approx.)
SW	NE	13	15N	17E	Yakima	Ptns. of 171513-12004 and 171513-13001	40
NW	SE	13	15N	17E	Yakima	Ptns. of 171513-12004 and 171513-13001	25 (approx.)

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☒ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME:

#### B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

Same – No change to Place of Use.

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☒ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME:

*Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map. (See Exhibit "B," attached.)*



Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

☒ YES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): Per proposed Cert. S4-83097-J, the place of use under the subject water right also receives supplemental water from Wenas Irrigation District; historically, a combined maximum of 500 AF/y has been used for irrigation of this land.

#### 6. Remarks and Other Relevant Information:

Use by Applicant of the proposed POD #1 as requested herein was previously approved on a temporary basis by the *Acquavella* Court, pursuant to its July 14, 2011, Order *Pendente Lite* re Petition of Hazel Cameron / Court Claim No. 00438 (the "Cameron OPL"), a true and correct copy of which is attached as Exhibit "C." Following issuance of the Cameron OPL, Applicant has installed and is now operating a diversion and pump system at the proposed POD #1 location. By this Application, Applicant seeks administrative permission to use proposed POD #1 (in addition to previously Court-approved POD #s 2 and 3) on a permanent basis.

POD No. 1 (current): 500' north and 1100' west from the south quarter corner of Section 12, being within the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 12, T. 15 N., R. 17 E.W.M.

POD No. 1 (proposed): Approximately 100' south and 800' west from the north quarter corner of Section 13, being within the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 13, T. 15., R. 17 E.W.M.

POD No. 2 (current/proposed): 900' south and 800' west from the south quarter corner of Section 12, being within the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 13, T. 15 N., R. 17 E.W.M.

POD No. 3 (current/proposed): 550' north and 650' east from the west quarter corner of Section 12, being within the SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 12, T. 15 N., R. 17 E.W.M.

Applicant is also filing an application with the Board concerning a separate 40-acre irrigation right on Wenas Creek, by which Applicant seeks authorization for use of the same point of diversion as herein proposed. Insofar as the points of diversion to be changed are identical under both applications, Applicant requests concurrent review by Ecology.

IF FOR SEASONAL OR TEMPORARY, START DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ END DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request. For further information, contact: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Phone (360) 570-3265.



## 7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I hereby grant staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

Hazel Cameron

Applicant

Hazel Cameron

Applicant Signature

10/24/13

(Date)

Hazel Cameron

Water Right Holder

Hazel Cameron

Water Right Holder Signature

10/24/13

(Date)

Hazel Cameron

Land Owner of Existing & Proposed Place of Use

Hazel Cameron

Land Owner of Existing Place of Use Signature

10/24/13

(Date)

Please check the region in which the project is located:

<p><b>*Submit your application to:</b></p> <p>DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611</p>	<p><input checked="" type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490</p>	<p><input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Street Spokane, WA 99205-1295 (509) 329-3400</p>
	<p><input type="checkbox"/> Northwest Regional Office 3190 - 160<sup>th</sup> Avenue SE Bellevue, WA 98008-5452 (425) 649-7000</p>	<p><input type="checkbox"/> Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300</p>

### WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED
 ☐ MAP NOT INCLUDED or INCOMPLETE  
☐ ADDITIONAL SIGNATURES REQUIRED
 ☐ SECTION \_\_\_\_\_ IS INCOMPLETE  
☐ OTHER/EXPLANATION: \_\_\_\_\_

STAFF: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

# EXHIBIT

## A



# Yakima County GIS - Washington Land Information Portal

[\[Print Map\]](#)[\[Close Map\]](#)[Yakimap.com](http://Yakimap.com)

2011 Ortho Photography

Map Center: Range:17 Township:15 Section:13



City Limits  
Sections

2011

[WWW.YAKIMAP.COM](http://WWW.YAKIMAP.COM)

Yakima County GIS  
128 N 2nd Street  
Yakima, WA 98901  
(509)574-2992



One Inch = 1200 Feet

Feet 500 1000 1500 2000

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT  
AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

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10/17/13

Yakima County GIS

Yakima County GIS - Washington  
Land Information Portal

[Print Map]  
[Close Map]

**Yakimap.com**



2008 Ortho Photography

Map Center: Range:17 Township:15 Section:13



City Limits  
Sections

[WWW.YAKIMAP.COM](http://WWW.YAKIMAP.COM)

Yakima County GIS  
128 N 2nd Street  
Yakima, WA 98901  
(509)574-2992



2008

One Inch = 1200 Feet

Feet 500 1000 1500 2000

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# EXHIBIT B



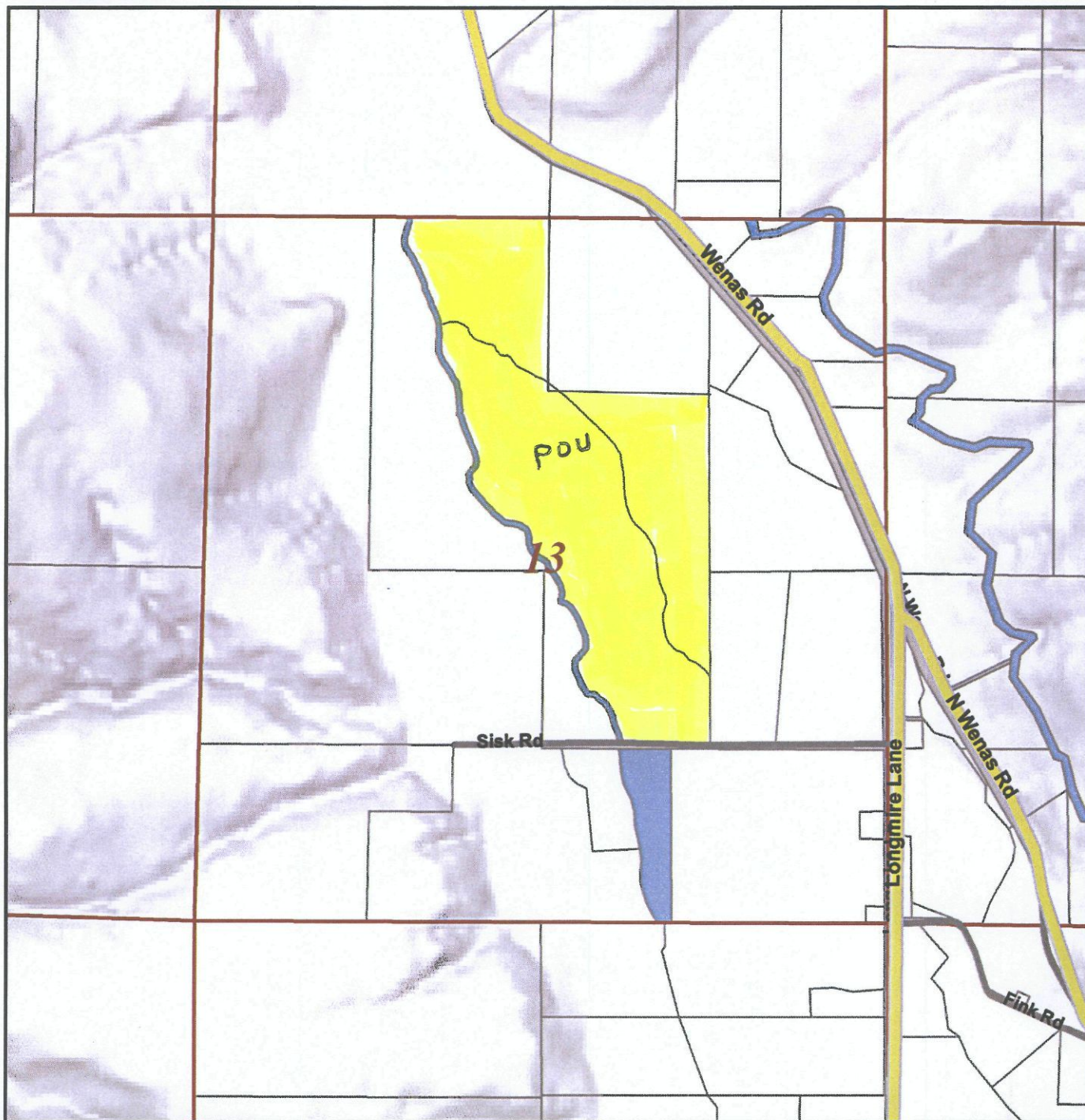
10/17/13

Yakima County GIS

# Yakima County GIS - Washington Land Information Portal

[Print Map]  
[Close Map]

**Yakimap.com**



Map Center: Range:17 Township:15 Section:13

City Limits  
Sections

**WWW.YAKIMAP.COM**

Yakima County GIS  
128 N 2nd Street  
Yakima, WA 98901  
(509)574-2992



One Inch = 1200 Feet

Feet 500 1000 1500 2000

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54-83097-J





Google

54-83097-J POD Map





# EXHIBIT C



JUL 14 2011

KIM M. EATON, YAKIMA COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR YAKIMA COUNTY

IN THE MATTER OF THE DETER-  
MINATION OF THE RIGHTS TO THE  
USE OF THE SURFACE WATERS OF  
THE YAKIMA RIVER DRAINAGE  
BASIN, IN ACCORDANCE WITH THE  
PROVISIONS OF CHAPTER 90.03,  
REVISED CODE OF WASHINGTON,

STATE OF WASHINGTON,  
DEPARTMENT OF ECOLOGY

Plaintiff,

vs.

JAMES J. ACQUAVELLA, et al.,

Defendants.

)  
) NO. 77-2-01484-5  
)  
) ~~(Amended Proposed)~~  
) **ORDER PENDENTE LITE**  
) **RE: PETITION OF**  
) **HAZEL CAMERON**  
)  
)  
) **COURT CLAIM NO. 00438**  
) **(A) 1378**  
) **SUBBASIN NO. 15**  
) **(Wenas)**  
)  
)  
)  
)

THIS MATTER having come on for hearing at the request of Petitioner, HAZEL CAMERON by and through its attorneys of record, Lawrence E. Martin of Velikanje Halverson P.C., in its Petition for Order *Pendente Lite*, heard in open court on July 14, 2011, and the Court having considered the Petition and the oral presentation of petitioner's attorney, and being otherwise fully advised in the premises; now, therefore,

IT IS ORDERED, ADJUDGED AND DECREED that Hazel Cameron is authorized to temporarily change a point of diversion on Wenas Creek from the current point:

**Current Point of Diversion:** 500 feet north and 1100 feet west from the south quarter corner of Section 12, being within the SW ¼ SE ¼ SW ¼ of Section 12, T. 15., R. 17 E.W.M.





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To the following:

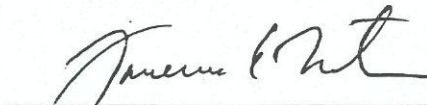
**New Point of Diversion:** Approximately 100 feet south and 800 feet west from the north quarter corner of Section 13, being within the NE ¼ NW ¼ of Section 13, T. 15., R. 17 E.W.M.

DONE IN OPEN COURT this 14<sup>th</sup> day of July, 2011.

**F. JAMES GAVIN**

\_\_\_\_\_  
JUDGE

Presented by:



\_\_\_\_\_  
Lawrence E. Martin, WSBA #18743  
Velikanje Halverson P.C.  
Attorneys for Petitioner Hazel Cameron

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6/8/2011 tia